

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 3/25/2014

Case Number 1:10-cv-01396

Case Style: Deakins vs. Pack

Type of hearing Civil Jury Trial - Day 7

Before the honorable: 2516-Berger

Court Reporter Lisa Cook

Courtroom Deputy Kierstin Tudor

Attorney(s) for the Plaintiff or Government Harry Deakins, Sr. (pro-se)

Attorney(s) for the Defendant(s) Michael Mullins & Peter Raupp

Law Clerk Carter George

Probation Officer

Trial Time

Jury Trial. Day No. 7

Non-Trial Time

Court Time

9:00 am to 9:12 am

9:26 am to 9:38 am

9:40 am to 11:24 am

12:03 pm to 12:05 pm

3:59 pm to 4:02 pm

Total Court Time: 2 Hours 13 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

CIVIL TRIAL - DAY 7

Scheduled Start 9:00 a.m.

Actual Start 9:00 a.m.

[Bluefield case; trial held in Beckley]

Witness LONG resumes stand.

Mr. Deakins declines cross.

Defense rests.

Plaintiff has no rebuttal evidence.

Out of jury presence, Court addresses post-trial motions.

Court GRANTS defense motion to dismiss the excessive force claims against Defendant Baker and Defendant Wade.

Court takes recess at 9:12 a.m.

Court resumed at 9:26 a.m.

Court addresses proposed jury charge with parties.

Court takes recess at 9:38 a.m.

Court resumed at 9:40 a.m.

Court gives final instructions to Jury.

Mr. Deakins makes closing argument on behalf of Plaintiff.

Mr. Mullins makes closing argument on behalf of Defendants.

Court completes final instructions to Jury.

Jury excused to deliberate at 11:22 a.m.

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Court recess at 11:24 a.m.

Court resumed at 12:03 p.m.

Court addresses note from Jury (marked as Court Ex. 1).

Jury excused for a lunch break and instructed to resume deliberations once they return from lunch.

Court recessed at 12:05 p.m.

Court resumed at 3:59 p.m.

Jury has reached verdict.

Court inspects jury verdict.

Verdict read aloud in open court.

Verdict in favor of Defendants.

Court excuses Jury.

Court recessed at 4:02 p.m.